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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION  
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In the Matter of )  
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Allocation of Spectrum Below ) ET Docket No. 94-32  
5 Ghz Transferred from )  
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**NYNEX COMMENTS**

The NYNEX Telephone Companies ("NYNEX") hereby comment on the Commission's Notice of Proposed Rule Making ("NPRM") in the above-captioned matter.

In the NPRM, the Commission proposes to allocate 50 megahertz (MHz) of spectrum<sup>1</sup> that was identified by the Department of Commerce for transfer from the Federal Government to private sector use. This spectrum would be made available for a variety of new services, such as wireless local loop service and PCS service.

For the reasons discussed below, NYNEX recommends that the Commission allocate the 2390-2400 Mhz band primarily for use by local exchange carriers (LECs) for fixed wireless local loop service. We also

<sup>1</sup> The spectrum is at the bands 2390-2400 MHz, 2402-2417 MHz, and 4660-4685 MHz.

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support Southwestern Bell's proposal that this band be paired with the 2300-2310 MHz band for wireless local loop service.<sup>2</sup> This spectrum allocation will result in the greatest benefit to the public.<sup>3</sup>

**THE COMMISSION SHOULD ALLOCATE THE 2390-2400  
AND 2300-2310 MHz BANDS TO WIRELESS LOCAL LOOP  
SERVICE**

As the Commission notes in the NPRM,<sup>4</sup> its principle objective in making spectrum allocation decisions is to ensure that the spectrum is put to its best and most valued use and that the greatest benefit to the public is attained. NYNEX believes that the public will best be served if the 2390-2400 MHz band is paired with the 2300-2310 Mhz band and used primarily for fixed wireless local loop service.

Wireless local loop service will enable a LEC to provide, where appropriate, telephone service to the home via radio links rather than through a copper or fiber cable to each home. Fixed wireless local loop service will

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<sup>2</sup> NPRM at ¶ 13.

<sup>3</sup> NYNEX has received an experimental license from the Commission to conduct a trial of fixed wireless local loop service in Brooklyn, New York. The results of this trial, which have been reported to the Commission in 15 Experimental License Progress Reports from March 1991 through November 1994, support NYNEX's view that fixed wireless local loop service has the potential to produce significant benefits to the public, provided suitable spectrum is available.

<sup>4</sup> NPRM at ¶ 8.

afford LECs greater flexibility in providing telephone service to new customers and meeting disaster recovery needs.<sup>5</sup>

Wireless local loop service will also facilitate and encourage customer access to the new services that will be available on the information superhighway, by providing limited bandwidth on demand. Wireless local loop service will enable LECs to provide consumers with access to new services on an as-needed basis without having to install second and third lines to the customer's home.

At present, there is no spectrum allocation for fixed wireless local loop service. Spectrum allocated for Basic Exchange Telecommunications Radio Service (BETRS) cannot meet the needs of fixed wireless local loop due to the limited amount of spectrum and the constraints on the allocation. A separate spectrum allocation for fixed wireless local loop is necessary.

In order to ensure that the public reaps the benefit of these services, it is necessary that the Commission allocate a sufficient amount of spectrum. Due to current radio frequency and compression technologies,<sup>6</sup> 10 MHz in each direction is the spectrum necessary for wireless local loop service to

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<sup>5</sup> For example, wireless local loop service will provide LECs with greater flexibility to meet seasonal demand for service in summer resort areas.

<sup>6</sup> See "User Access in Portable Radio Systems in a Co-channel Interference Environment," IEEE JSAC Vol 7, No. 1, January 1989.

ensure service quality comparable to that provided by wireline service. The spectrum allocation proposed herein will achieve this result.

WHEREFORE, NYNEX recommends that the Commission adopt rules allocating the 2390-2400 and 2300-2310 Mhz bands primarily to wireless local loop service.

Respectfully submitted,

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